NEWSMEN FIGHT BRIBERY CHARGE

Appeal for Dismissal of Garrison Allegation

Television newsmen Walter Sheridan and Richard Townley Thursday asked the United States fifth circuit court of appeals to order dismissal of public bribery charges brought against them by district attorney Jim Garrison.

The newsmen are appealing a ruling by federal district Judge Alvin B. Rubin.

Judge Rubin ruled in favor of Sheridan and Townley by holding that they did not have to honor subpenas for their appearance before the Orleans Parish grand jury as long as the bribery charges were pending, but he refused to enjoin the state prosecutions.

Sheridan and Townley are charged with the alleged public bribery of Perry Raymond Russo, Garrison's principal witness in the prosecution of Clay L. Shaw on a charge of conspiring to kill president John F. Kennedy.

The charges against the TV men grew out of a nationally televised documentary which was critical of Garrison's probe.

Judge Rubin held that he was prohibited by the federal anti-injunction statute from enjoining the state prosecutions, but Edward M. Baldwin and Milton L. Brener, attorneys for the newsmen, argued to the appeals court that the United States Supreme Court has held recently that this question is still open.

Assistant Dist. Atty. Numa V. Bertel claimed that the statute must be strictly construed.

It provides:

"A court of the United States may not grant an injunction to stay proceedings in a state court except as expressly authorized by act of Congress or where necessary in aid of its jurisdiction, or to protect or effectuate its judgments."